



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,116	06/25/2001	Yukio Shikatani	33714	2341
116	7590	07/12/2006		
PEARNE & GORDON LLP 1801 EAST 9TH STREET SUITE 1200 CLEVELAND, OH 44114-3108			EXAMINER AL HASHEMI, SANA A	
			ART UNIT 2164	PAPER NUMBER

DATE MAILED: 07/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

DETAILED ACTION

1. This action is issued in response to applicant RCE filed 10/20/05.
2. Claims 1-24 are allowed. Claim 25 is rejected. No claims were add. None were canceled.

Continued Examination Under 37 CFR 1.114

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/20/05 has been entered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

Claim 25 is rejected under 35 U.S.C. 102(e) as being anticipated by Stern (US Patent No. 6,366,914 filed August 7th, 1998).

Regarding Claim 25, Stern discloses a storage-based digital broadcast system for transmitting a plurality of contents comprising:

service structure information (Col. 4, lines 17-38, Stern);

a sending side for transmitting said service structure information (Col. 3, lines 55-64, Stern);

the receiving side uses said received service structure information and reference information to manage the storage of said contents (Col.4, lines 49-60, Stern);

wherein said service structure information is organized in a hierarchal manner and associate with one or more service provided by a content provider, and also associates each one of said service with one or more of said plurality of said contents (Fig. 1B, Stern).

Allowable Subject Matter

The following is an examiner's statement of reasons for allowance:

Regarding independent claims 1, 22, and 23, the prior art of record fails to disclose or suggest the claimed provision of: the receiving side, separated from the sending side for receiving, storing, and managing said service structure information, wherein said service structure information describes the relational structure between service provided by said content provider and reference information associating the content with the service described in said service structure information, combined with the rest of the limitations in the independent claims, is not taught or suggested, or rendered obvious over the prior art of record or that encountered in searching the invention.

The dependent claims 2-21, and 24, being further limiting to the independent claims, definite and enabled by the Specification are also allowed.

Comments

The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in an Office action. A fully responsive reply must be timely filed to avoid abandonment of this application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

As allowable subject matter has been indicated, Applicant's response must either comply with all formal requirements or specifically traverse each requirement not complied with. See 37 CFR 1.111(b) and MPEP section 707.07(a).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 2164

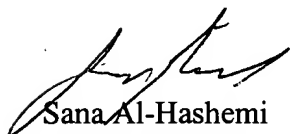
Points of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sana Al-Hashemi whose telephone number is (571) 272-4013.

The examiner can normally be reached on 8Am-4:30Pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Ronen can be reached on (571) 272-4085. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Sana Al-Hashemi
Patent Examiner
Technology Center 2100
July 6, 2006